

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA

v.

MICHAEL P. LUBY,

Defendant.

CRIMINAL No. 2:14-cr-25

CONSENT FINAL ORDER OF FORFEITURE

WHEREAS on July 17th, 2015, defendant Michael P. Luby, pled guilty to wire fraud, in violation of Title 18, United States Code, Section 1343;

AND WHEREAS on July 17th, 2015 the Court entered a Consent Order of Forfeiture forfeiting a monetary judgment in the amount of \$384,475.00 and assets belonging to the defendant to the government;

AND WHEREAS a public notice of criminal order of forfeiture was published for 30 consecutive days beginning on August 7th, 2015 on an official government internet site (www.forfeiture.gov);

AND WHEREAS a Notice of Criminal Order of Forfeiture was provided, via certified mail, to all persons believed to have an interest in the forfeited property, which notice is more particularly described in Exhibit A to the United States' Motion for Entry of a Consent Final Order of Forfeiture;

AND WHEREAS one claim asserting an interest in the 1981 Rockwell Jet, Model NA-265-65, Serial # 465-75, FAA Registration N570R was filed by David and Wendy Steiner (the Steiners), and the time for filing additional petitions has expired;

AND WHEREAS the Government and the Steiners have reach a settlement as to the Steiner's claim;

IT IS THEREFORE ORDERED:

1. The following assets are **CONDEMNED** and **FORFEITED** to the Government, which, by virtue of this Order, shall have clear title to said properties:

A sum of money in the amount of \$384,475.00, which represents the proceeds of the offense and which sum shall constitute a monetary judgment against the defendant in favor of the United States and which sum shall be offset by the government's net proceeds from assets listed below, all of which constitute substitute assets [CATS No. 14-FBI-003202];

A 2006 Hummer H3 with VIN # 5GTDN136268179296 [CATS No. 14-FBI-003006];

A 2007 BMW 750Li with VIN # WBAHN83557DT73500 [CATS No. 14-FBI-003007];

A 2012 Dodge Ram Truck with VIN # 1C6RD7FP7CS276068 [CATS No. 14-FBI-003005];

A 2008 Mercedes Benz CLK350 Convertible with VIN # WDBTK56F68F251421 [CATS No. 14-FBI-003008];

A 1981 Rockwell Jet, Model NA-265-65, Serial # 465-75, FAA Registration N570R, along with all pilot's maintenance, and other logbooks associated with the aircraft [CATS No. 15-FBI-004721];

Any and all funds received from BB&T Bank Account No. 0005242388358 in the name of Hospitality Investment Corp. [CATS No. 14-FBI-003327];

Any and all funds received from BB&T Bank Account ending in 8331 in the name of Hotel Companies Corp. [CATS No. 14-FBI-003330];

Any and all funds received from BB&T Bank Account ending in 8994 in the name of 104 East Court Corp. [CATS No. 14-FBI-003332]

2. Upon the sale of all the property forfeited herein, and after recovery of the government's costs, the government may retain as forfeited up to \$317,500.00 of the net

proceeds of the sale of the 1981 Rockwell Jet. Any remaining net proceeds from the sale of the 1981 Rockwell Jet beyond the up to \$317,500.00 retained as forfeited shall be paid to David and Wendy Steiner, 840 Ocean Drive, Unit No. 703, Juno Beach, Florida 33408.

3. The Answer and Claim filed on September 18th, 2015 (Document 119) is now moot and is **DISMISSED** from further forfeiture proceedings:

4. All right, title, and interest in the forfeited property vest in the United States as of the date of this Order.

5. The Government shall dispose of all forfeited property according to law.

/s/ Mark S. Davis
Mark S. Davis
~~United States District Judge~~
UNITED STATES DISTRICT JUDGE


At Norfolk, Virginia
This 19th day of November 2015

I Ask for This:
Dana J. Boente
United States Attorney


By: /s/ Kevin Hudson
Kevin Hudson
Assistant United States Attorney
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Seen and Agreed:

By:


Wendy Steiner
840 Ocean Drive, Unit No. 703
Juno Beach, FL 33408
Pro Se Claimant

By:


David Steiner
840 Ocean Drive, Unit No. 703
Juno Beach, FL 33408
Pro Se Claimant